

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Shari T. Wilson, Secretary

BILL NO: HB 252

COMMITTEE: Environmental Matters

POSITION: Oppose

TITLE: Vehicle Laws - Exemption from Motor Vehicle Emissions Tests and Inspection Requirements - Newer Vehicles

BILL ANALYSIS: This bill would require exemption from the motor vehicle emissions test for 4 years after the vehicle's model year or first registration date, whichever is earlier.

POSITION AND RATIONALE: OPPOSE

The current Vehicle Emissions Inspection Program (VEIP) allows for new vehicles (not previously titled anywhere) of the current or preceding model year to not be assigned a test date until at least 24 months after the date of initial titling. Under HB 252, the emissions inspection for newly titled vehicles would not be required until 4 years after the vehicle's model year or first registration date. The change from 2 to 4 model year exemptions in the VEIP creates both air quality and fiscal impacts.

The program is required under the federal Clean Air Act because areas of Maryland exceed the federal standards for ground-level ozone, causing nearly 4 million Marylanders to breathe unhealthy air. Gasoline powered vehicles produce over one-third of the ozone forming pollutants in Maryland. The purpose of the program is to identify vehicles that are emitting excessive levels of pollutants and ensure that they are repaired. Motor vehicles also contribute significantly to the airborne emissions that cause nitrogen pollution of the Chesapeake Bay, so reducing vehicle emissions helps improve water quality as well.

The Department recognizes that automobile technology has advanced and that newer, computer controlled vehicles are designed to produce fewer emissions. Even the newest vehicles, equipped with the latest emissions control technology, do not operate at peak efficiency throughout their useful life. When the control systems malfunction, excess emissions are released into the atmosphere. Since these malfunctions do not always affect how the vehicle drives, motorists may not be aware of the problem. As a result, the vehicle can produce emissions that are significantly higher than the standards.

Current VEIP program data indicates that the additional model years should not be exempted from testing, as these vehicles fail at a significant rate and comprise a large portion of the vehicle population. In 2008, 20 percent of the 1.4 million vehicles tested were of the two model years proposed for exemption (model years 2005 and 2006). Because of their large presence in the fleet, these model years made up 2.4 percent of the vehicles that failed. Contrary to the perception that only older vehicles contribute to the pollution problem, model years 1986 and 1987 comprised a comparable 2.5 percent of failed vehicles. The newer vehicles are significant contributors to the pollution problem and they must be tested as early as possible.

MDE estimates an increase of ozone-precursor pollutants related to these additional model year exemptions to be 0.53 tons per day of Volatile Organic Compounds (VOCs) and 0.53 tons per day

Nitrogen Oxides (NO_x). While the air quality impact of these emission increases may appear to be small, they are not. In 2009 a loss of 1 ton of emission reductions is very significant. As an example, the Department recently adopted new regulations for lithographic printing, flat wood paneling, large appliance coating, paper, film and foil coating, metal furniture manufacturing, industrial cleaning solvent use and flexible package printing. These regulations combined do not come close to achieving a 1 ton per day emission reduction.

Maryland is very close to achieving the 2010, 85 parts per billion (ppb) ozone standard. A loss of reductions at this time could be very damaging. In addition, a more stringent Federal ozone standard will be finalized in 2010. EPA has proposed a new standard between 60 and 70ppb. A standard in this range will be very difficult to attain and will require additional emission reductions within Maryland.

Currently, emissions from thousands of sources (i.e., new vehicles, power plants, industrial facilities, lawn and garden equipment, gas cans, paints, consumer products and numerous other small sources) are already regulated. Attaining this new standard will require us to develop “out-of-the-box” solutions to find these additional reductions. Due to Maryland’s air pollution problems, many alternatives have already been implemented, and the remaining alternatives are not as cost-effective as the emissions testing program.

This proposed change could also have a negative impact on Maryland’s clean air plan (or SIP) and federal funds received by the state. The VEIP is a critical component of Maryland’s approved State Implementation Plan (SIP) for improving air quality. Changes to the VEIP could result in a disapproval of Maryland’s SIP by EPA. A disapproval by EPA can result in federal sanctions, which include the withholding of federal highway funds, and the application of EPA emissions reduction requirements upon State commercial and industrial sources of emissions.

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